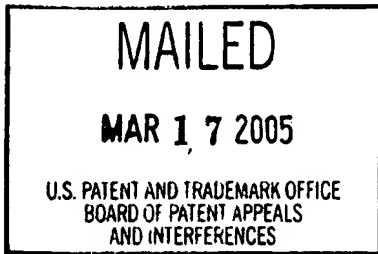


UNITED STATES PATENT AND TRADEMARK OFFICE



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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte YEUN-JONG CHOU and LOREN L. BARBER JR.

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Application No. 09/954,751

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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This application was electronically received at the Board of Patent Appeals and Interferences on March 1, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

Appellants filed an Appeal Brief on March 8, 2004 which was deemed defective by the examiner. Appellants filed an Amended Appeal Brief on March 29, 2004 that was accepted by the examiner. However, we note that the filing fee for the Brief was not charged at the time of either of the filings, as required by 37 CFR § 1.192(a), now 37 CFR § 41.37(a)(2). The cover sheet of the Brief, stipulated that the filing fee be charged to appellants' deposit Account No. 13-3723.

Application No. 09/954,751

Accordingly, it is

ORDERED that the application is returned to the examiner for

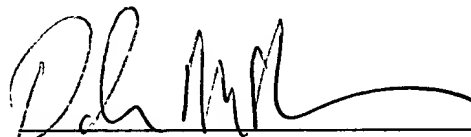
(1) the examiner to have the matter of payment of the Appeal Brief  
filing fee corrected as required, and

(2) for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By:



DALE M. SHAW

Program and Resource Administrator  
(571) 272-9797

cc: 3M INNOVATIVE PROPERTIES COMPANY  
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